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Attorneys for Defendant,
Westcor Land Title Insurance Company

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

* * *

DEUTSCHE BANK NATIONAL TRUST
COMPANY, AS TRUSTEE, ON BEHALF OF
THE REGISTERED HOLDERS OF GSAMP
TRUST 2005-AHL, MORTGAGE PASS-
THROUGH CERTIFICATES, SERIES 2005-
AHL,

Plaintiff,

vs.

WESTCOR LAND TITLE INSURANCE
COMPANY,

Defendant.

CASE NO. 2:20-cv-00770-KJD-NJK

**STIPULATION AND ORDER TO
STAY CASE PENDING THE
NEVADA SUPREME COURT'S
DECISION IN PENNYMAC V.
WESTCOR**

COMES NOW Plaintiff, Deutsche Bank National Trust Company, as Trustee, on behalf of the registered holders of GSAMP Trust 2005-AHL, Mortgage Pass- Through Certificates, Series 2005-AHL ("Plaintiff"), and Defendant, Westcor Land Title Insurance Company ("Defendant") (collectively, the "Parties"), by and through their respective attorneys of record, and hereby stipulate and agree as follows:

WHEREAS, there are now currently pending in the United States District Court for the District of Nevada and the Nevada state courts more than one-hundred actions between national banks, on the one hand, and title insurers, on the other hand (the "Actions");

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1 **WHEREAS**, each of the Actions involves a title insurance coverage dispute wherein the
2 national bank contends, and the title insurer disputes, that a title insurance claim involving an HOA
3 assessment lien and subsequent sale was covered by a policy of title insurance;

4 **WHEREAS**, in virtually all of these Actions, the title insurer underwrote an ALTA 1992
5 loan policy of title insurance with form 1 coverage, along with the CLTA 100/ALTA 9 and/or
6 CLTA 115.2/ALTA 5 Endorsements (the “Form Policy”);

7 **WHEREAS**, the national bank in one of these actions has now appealed a judgment of
8 dismissal to the Nevada Supreme Court, PennyMac Corporation v. Westcor Title Insurance
9 Company, Nevada Supreme Court Case No. 83737 (District Court Case No. A-18-781257-C)
10 (“PennyMac Appeal”);

11 **WHEREAS**, the Parties anticipate that the Nevada Supreme Court’s decision in the
12 PennyMac Appeal may touch upon issues regarding the interpretation of the Form Policy and
13 claims handling, that could potentially affect the disposition of the instant action; and

14 **WHEREAS**, while the Parties differ in their reasoning for a stay, both Parties agree that it
15 is appropriate and desirous to stay the instant action pending the disposition of the PennyMac
16 Appeal, that a stay of the instant action will not prejudice either of the Parties, and that a stay of
17 the instant action will best serve the interests of judicial economy.

18 **NOW THEREFORE**, the Parties, by and through their undersigned counsel, hereby
19 stipulate and agree as follows:

20 1. The instant action shall immediately be **STAYED**, pending the disposition of the
21 PennyMac Appeal.

22 2. Each of the Parties shall be excused from responding to any now-outstanding
23 discovery requests propounded by the other until after the stay is lifted.

24 3. Any now-pending deadlines to file responses to, or replies in support of, any
25 outstanding motions are hereby **VACATED**.

26 4. By entering into this stipulation, neither of the Parties is waiving its right to
27 subsequently move the Court for an order lifting the stay in this action.
28

1 5. The Parties are to provide a joint status report to the Court within thirty (30) days
2 of the issuance of the remittitur.

3 DATED this 16th day of September, 2022.

DATED this 16th day of September, 2022.

4 **MAURICE WOOD**

WRIGHT, FINLAY & ZAK, LLP

5 By: /s/Brittany Wood

By: /s/Lindsay D. Dragon

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Attorneys for Plaintiff

14 *Attorneys for Defendant*

15 IT IS SO ORDERED.

16 Dated: October 24, 2022

17 

18 UNITED STATES DISTRICT COURT JUDGE

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